



STATE OF MONTANA, FISH WILDLIFE AND PARKS
INVITATION FOR BID
(THIS IS NOT AN ORDER)

IFB Number: 080099		IFB Title: <u>Literature Review of the Effects of Energy on Big Game</u>	
IFB Due Date and Time: <u>October 16, 2007</u> 2:00 p.m., Mountain Standard Time		Number of Pages: 9	
ISSUING AGENCY INFORMATION			
Procurement Officer: <u>Rick Dorvall</u>		Issue Date: <u>10/4/07</u>	
<u>Fish Wildlife and Parks</u> <u>Purchasing Unit</u> <u>930 Custer Ave</u> <u>P O Box 200701</u> <u>Helena MT 59620-0701</u>		Phone: (406) 495-3249 Fax: (406) 495-3253 TTY Users, Dial 711 Website: http://www.fwp.mt.gov	
INSTRUCTIONS TO BIDDERS			
COMPLETE THE INFORMATION BELOW AND RETURN THIS PAGE WITH YOUR BID AND ANY REQUIRED DOCUMENTS TO THE ADDRESS LISTED ABOVE UNDER "ISSUING AGENCY INFORMATION."		Mark Face of Envelope/Package: IFB Number: <u>080099</u> IFB Due Date: <u>10/16/07</u>	
		Special Instructions: Deliverable Date: On or Before January 25th, 2008	
Alternate Bids: Vendors may submit alternate bids (a bid on supplies other than specified). Alternate bids are considered only if the vendor is the lowest responsible vendor on their primary bid. Bids must be clearly identified as "Primary" and "Alternate."			
BIDDERS MUST COMPLETE THE FOLLOWING			
Payment Terms: Net 30 days		Delivery Date:	
Bidder Name/Address:		Authorized Bidder Signatory: (Please print name and sign in ink)	
Bidder Phone Number:		Bidder FAX Number:	
Bidder E-mail Address:		Debarment: Signature certifies that company nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction.	
IMPORTANT: SEE STANDARD TERMS AND CONDITIONS			

Standard Terms and Conditions

By submitting a response to this invitation for bid, request for proposal, limited solicitation, or acceptance of a contract, the vendor agrees to acceptance of the following Standard Terms and Conditions and any other provisions that are specific to this solicitation or contract.

ACCEPTANCE/REJECTION OF BIDS, PROPOSALS, OR LIMITED SOLICITATION RESPONSES: The State reserves the right to accept or reject any or all bids, proposals, or limited solicitation responses, wholly or in part, and to make awards in any manner deemed in the best interest of the State. Bids, proposals, and limited solicitation responses will be firm for 30 days, unless stated otherwise in the text of the invitation for bid, request for proposal, or limited solicitation.

ACCESS AND RETENTION OF RECORDS: The contractor agrees to provide the department, Legislative Auditor, or their authorized agents, access to any records necessary to determine contract compliance. (Section 18-1-118, MCA). The contractor agrees to create and retain records supporting the services rendered or supplies delivered for a period of three years after either the completion date of the contract or the conclusion of any claim, litigation, or exception relating to the contract taken by the State of Montana or third party.

ALTERATION OF SOLICITATION DOCUMENT: In the event of inconsistencies or contradictions between language contained in the State's solicitation document and a vendor's response, the language contained in the State's original solicitation document will prevail. Intentional manipulation and/or alteration of solicitation document language will result in the vendor's disqualification and possible debarment.

ASSIGNMENT, TRANSFER AND SUBCONTRACTING: The contractor shall not assign, transfer or subcontract any portion of the contract without the express written consent of the department. (Section 18-4-141, MCA.)

AUTHORITY: The attached bid, request for proposal, limited solicitation, or contract is issued under authority of Title 18, Montana Code Annotated, and the Administrative Rules of Montana, Title 2, chapter 5.

COMPLIANCE WITH LAWS: The contractor must, in performance of work under the contract, fully comply with all applicable federal, state, or local laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Any subletting or subcontracting by the contractor subjects subcontractors to the same provision. In accordance with section 49-3-207, MCA, the contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing the contract.

CONFORMANCE WITH CONTRACT: No alteration of the terms, conditions, delivery, price, quality, quantities, or specifications of the contract shall be granted without prior written consent of the State Procurement Bureau. Supplies delivered which do not conform to the contract terms, conditions, and specifications may be rejected and returned at the contractor's expense.

DEBARMENT: The contractor certifies, by submitting this bid or proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction (contract) by any governmental department or agency. If the contractor cannot certify this statement, attach a written explanation for review by the State.

DISABILITY ACCOMMODATIONS: The State of Montana does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need aids, alternative document formats, or services for effective communications or other disability related accommodations in the programs and services offered are invited to make their needs and preferences known to this office. Interested parties should provide as much advance notice as possible.

FACSIMILE RESPONSES: Facsimile responses will be accepted for invitations for bids, small purchases, or limited solicitations ONLY if they are completely received by the State Procurement Bureau prior to the time set for receipt. Bids, or portions thereof, received after the due time will not be considered. Facsimile responses to requests for proposals are ONLY accepted on an exception basis with prior approval of the procurement officer.

FAILURE TO HONOR BID/PROPOSAL: If a bidder/offeror to whom a contract is awarded refuses to accept the award (PO/contract) or fails to deliver in accordance with the contract terms and conditions, the department may, in its discretion, suspend the bidder/offeror for a period of time from entering into any contracts with the State of Montana.

FORCE MAJEURE: Neither party shall be responsible for failure to fulfill its obligations due to causes beyond its reasonable control, including without limitation, acts or omissions of government or military authority, acts of God, materials shortages, transportation delays, fires, floods, labor disturbances, riots, wars, terrorist acts, or any other causes, directly or indirectly beyond the reasonable control of the nonperforming party, so long as such party is using its best efforts to remedy such failure or delays.

HOLD HARMLESS/INDEMNIFICATION: The contractor agrees to protect, defend, and save the State, its elected and appointed officials, agents, and employees, while acting within the scope of their duties as such, harmless from and against all claims, demands, causes of action of any kind or character, including the cost of defense thereof, arising in favor of the contractor's employees or third parties on account of bodily or personal injuries, death, or damage to property arising out of services performed or omissions of services or in any way resulting from the acts or omissions of the contractor and/or its agents, employees, representatives, assigns, subcontractors, except the sole negligence of the State, under this agreement.

LATE BIDS AND PROPOSALS: Regardless of cause, late bids and proposals will not be accepted and will automatically be disqualified from further consideration. It shall be solely the vendor's risk to ensure delivery at the designated office by the designated time. Late bids and proposals will not be opened and may be returned to the vendor at the expense of the vendor or destroyed if requested.

PAYMENT TERM: All payment terms will be computed from the date of delivery of supplies or services OR receipt of a properly executed invoice, whichever is later. Unless otherwise noted in the solicitation document, the State is allowed 30 days to pay such invoices. All contractors will be required to provide banking information at the time of contract execution in order to facilitate State electronic funds transfer payments.

RECIPROCAL PREFERENCE: The State of Montana applies a reciprocal preference against a vendor submitting a bid from a state or country that grants a residency preference to its resident businesses. A reciprocal preference is only applied to an invitation for bid for supplies or an invitation for bid for nonconstruction services for public works as defined in section 18-2-401(9), MCA, and then only if federal funds are not involved. For a list of states that grant resident preference, see <http://gsd.mt.gov/procurement/preferences.asp>.

REFERENCE TO CONTRACT: The contract or purchase order number MUST appear on all invoices, packing lists, packages, and correspondence pertaining to the contract.

REGISTRATION WITH THE SECRETARY OF STATE: Any business intending to transact business in Montana must register with the Secretary of State. Businesses that are incorporated in another state or country, but which are conducting activity in Montana, must determine whether they are transacting business in Montana in accordance with sections 35-1-1026 and 35-8-1001, MCA. Such businesses may want to obtain the guidance of their attorney or accountant to determine whether their activity is considered transacting business.

If businesses determine that they are transacting business in Montana, they must register with the Secretary of State and obtain a certificate of authority to demonstrate that they are in good standing in Montana. To obtain registration materials, call the Office of the Secretary of State at (406) 444-3665, or visit their website at <http://sos.mt.gov>.

SEPARABILITY CLAUSE: A declaration by any court, or any other binding legal source, that any provision of the contract is illegal and void shall not affect the legality and enforceability of any other provision of the contract, unless the provisions are mutually dependent.

SHIPPING: Supplies shall be shipped prepaid, F.O.B. Destination, unless the contract specifies otherwise.

SOLICITATION DOCUMENT EXAMINATION: Vendors shall promptly notify the State of any ambiguity, inconsistency, or error which they may discover upon examination of a solicitation document.

TAX EXEMPTION: The State of Montana is exempt from Federal Excise Taxes (#81-0302402).

TECHNOLOGY ACCESS FOR BLIND OR VISUALLY IMPAIRED: Contractor acknowledges that no state funds may be expended for the purchase of information technology equipment and software for use by employees, program participants, or members of the public unless it provides blind or visually impaired individuals with access, including interactive use of the equipment and services, that is equivalent to that provided to individuals who are not blind or visually impaired. (Section 18-5-603, MCA.) Contact the State Procurement Bureau at (406) 444-2575 for more information concerning nonvisual access standards.

TERMINATION OF CONTRACT: Unless otherwise stated, the State may, by written notice to the contractor, terminate the contract in whole or in part at any time the contractor fails to perform the contract.

UNAVAILABILITY OF FUNDING: The contracting agency, at its sole discretion, may terminate or reduce the scope of the contract if available funding is reduced for any reason. (Section 18-4-313(4), MCA.)

U.S. FUNDS: All prices and payments must be in U.S. dollars.

VENUE: This solicitation is governed by the laws of Montana. The parties agree that any litigation concerning this bid, request for proposal, limited solicitation, or subsequent contract, must be brought in the First Judicial District in and for the County of Lewis and Clark, State of Montana, and each party shall pay its own costs and attorney fees. (Section 18-1-401, MCA.)

WARRANTIES: The contractor warrants that items offered will conform to the specifications requested, to be fit and sufficient for the purpose manufactured, of good material and workmanship, and free from defect. Items offered must be new and unused and of the latest model or manufacture, unless otherwise specified by the State. They shall be equal in quality and performance to those indicated herein. Descriptions used herein are specified solely for the purpose of indicating standards of quality, performance, and/or use desired. Exceptions will be rejected.



Project Overview:

The STATE OF MONTANA, Department of Fish, Wildlife and Parks, Wildlife Division (hereinafter referred to as "the State") is seeking a contractor to provide professional services required to review existing literature on the effects of energy development on big game animals. A more complete description of the services sought for this project is provided in the following Scope of Work.

Scope of Work:

Compile existing literature of the potential effects of energy development and production activities on big game animals including elk, mule deer, and antelope into a format that will be a useful tool for wildlife managers, land managers, and industry to help make land use decisions based on current scientific knowledge.

Responses of big game to all aspects of oil, gas, and wind development should be reviewed including, but not limited to the effects of noise, roads, traffic, human presence, drilling rigs, operational wells, and general habitat fragmentation. The level (i.e. density of roads, number of cars, density of well pads) of each of these disturbances should be incorporated into the resulting product whenever possible. Effects shall be broken into biologically significant seasonal ranges to address effects on mating behavior, winter ranges, and parturition. The habitat types of greatest interest are those found in the planning areas of central and eastern Montana including sagebrush, grassland, and pine breaks.

An extensive review of the literature will produce 1) Summary tables related to a) the study design and level of peer review and b) type of disturbance, and the response and effects to wildlife, 2) a searchable electronic database of the literature including abstracts or research summaries.

(*For an example of the expected product, see attached Appendix H, Beck, J. L. 2006. Summary of oil and natural gas development impacts on prairie grouse. Unpublished Report, Colorado Division of Wildlife, Grand Junction, Colorado, USA)

Initial List of Disturbance Literature Related to Oil and Gas Effects on Big Game

Altman, M. 1958. The flight distance in free-ranging big game. J. Wildl. Manage. 22(2):207-209.

Amstrup, S. C. 1978. Activities and habitat use of pronghorns on Montana-Wyoming coal lands. Proc. Antelope States Workshop 8:270-306.

Beak Consultants, Ltd. 1979. Interactions between ungulates and winter gas well drilling operations. Prepared for Mobil Oil Canada, Ltd., Calgary, Alberta.

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Bennington, J.P., R.S. Dressler and J.M. Bridges. 1982. The effect of hydrocarbon development on elk and other wildlife in lower Michigan. Pages 363-384, in P.J. Ravel, ed. Proceedings, Symposium: Land and water issues related to energy development. Ann Arbor Science, Ann Arbor, Michigan.

Berger, J. Pers. Comm. Unpublished results from an ongoing study entitled, "Pronghorn Survival and Energy Development in Western Wyoming: Effects of Industrial and Human Activity During Winter." Wildl. Conserv. Soc., Teton Field Office, Moose, WY.

Bradshaw, C.J.A., S. Boutin, and D.M. Herbert. 1997. Effects of petroleum exploration on woodland caribou in northeastern Alberta. *Journal of Wildlife Management* 61:1127-1133.

Bradshaw, C.J.A., S. Boutin, and D.M. Herbert. 1998. Energetic implications of disturbance caused by petroleum exploration to woodland caribou. *Canadian Journal of Zoology* 76:1319-1324.

Bromley, M. 1985. Wildlife management implications of petroleum exploration and development in wildland environments. *In* General Technical Report INT-191. U.S. Forest Service, Intermountain Research Station, Ogden, Utah.

Bruns, E.H. 1977. Winter behavior of pronghorns in relation to habitat. *J. Wildl. Manage.* 41:560-571.

Cole, E.K., M.D. Pope, and R.G. Anthony. 1997. Effects of road management on movement survival of Roosevelt elk. *Journal of Wildlife Management* 61:1115-1126.

Comer, R. D. 1982. Understanding secondary effects of development on wildlife resources. Pages 16-35 *in* R. D. Comer, J. M. Merino, J. W. Monarch, and C. Pustmueller, M. Stalmaster, R. Stoecker, J. Todd, and W. Wright, editors. *Proceedings: Symposium on issues and technology in the management of impacted western wildlife*. Thorne Ecological Institute. Boulder, Colorado.

Deblinger, R.D. 1988. Ecology and behavior of pronghorn in the Red Desert, Wyoming with reference to energy development. Ph.D. Thesis, Colorado State University, Ft. Collins, Colorado.

Dyer, S.J., J.P. O'Neill, S.M. Wasel, and S. Boutin. 2001. Avoidance of industrial development by woodland caribou. *Journal of Wildlife Management* 65:531-542.

Easterly, T., A. Wood, and T. Litchfield. 1991. Responses of pronghorn and mule deer to petroleum development on crucial winter range in the Rattlesnake Hills. Unpublished Completion Report. Wyoming Game and Fish Dept., Cheyenne. 67pp.

Edge, W.D. 1982. Distribution, habitat use, and movements of elk in relation to roads and human disturbance in western Montana. M.S. Thesis, Univ. Montana, Missoula. 98 pp.

Edge, W. D., and C.L. Marcum. 1991. Topography ameliorates the effects of roads and human disturbance on elk. Pages 132-137 *in* A.G. Christiansen, L.J. Lyon, and T.N. Lonner, compilers, *Proc. Elk Vulnerability Symp.*, Montana State Univ., Bozeman. 330pp.

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Edge, W.D., C.L. Marcum, and S.L. Olson. 1985. Effects of logging activities on home-range fidelity of elk. *Journal of Wildlife Management* 49:741-744.

Forman, R.T.T. and L.E. Alexander. 1998. Roads and their major ecological effects. *Annual Review of Ecology and Systematics* 29: 207-231.

Gill, R.B. 2001. Declining mule deer populations in Colorado: reasons and responses. Colorado Division of Wildlife Spec. Rpt. 77. Denver, Colorado.

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Gillin, C. 1989. Response of elk to seismograph exploration in the Wyoming Range. M.S. Thesis, University of Wyoming, Laramie. 110pp.

Girard, M., and B. Stotts. 1986. Managing impacts of oil and gas development on woodland wildlife habitats on the Little Missouri Grasslands, North Dakota. Pages 128-130 in Proceedings II: Issues and Technology in the Management of Impacted Western Wildlife. Thorne Ecological Institute, Boulder, Co.

Hayden-Wing Associates. 1990a. Response of elk to Exxon's field development in the Riley Ridge area of western Wyoming, 1979-1988. Final Report prepared for Exxon Company, U.S.A. and Wyoming Game and Fish Dept., Cheyenne, WY. 33pp.

Hayden-Wing Associates. 1990b. Summary of elk responses to oil well drilling and associated disturbances. Hayden-Wing Associates, Laramie, WY. 16pp.

Hayden-Wing Associates. 1991a. Final review and evaluation of the effects of Triton Oil and Gas Corporation's proposed coal bed methane field development (Great Divide prospect) on elk and other big game species. Triton Oil and Gas Corporation, Dallas, TX. 92 pp.

Hayden-Wing Associates. 1991b. Review and evaluation of the effects of geophysical exploration on some wildlife species in Wyoming. Unpubl. Rept. for Geophysical Acquisition Workshop. Laramie, WY.

Hiatt, G.S., and D. Baker. 1981. Effects of oil/gas drilling on elk and mule deer winter distributions on Crooks Mountain, Wyoming. Unpubl. Report., Wyoming Game and Fish Dept, Cheyenne, WY. 25pp.

Horejsi, B. L. 1979. Seismic operations and their impact on large mammals: results of a monitoring program. Unpublished report prepared for Mobil Oil Canada, Ltd., Western Wildlife Environments, Calgary, Alberta

Ihsle, H. B. 1982. Population ecology of mule deer with emphasis on potential impacts of gas and oil development along the East Front of the Rocky Mountains, north central Montana. Thesis, Montana State University, Bozeman.

Irby, L. R., R. J. Mackie, H. Ihsle Pac, and W. F. Kasworm. 1988 Management of mule deer in relation to oil and gas development in Montana's Overthrust Belt. Pages 113-121 in J. Emerick, S. Q. Foster, L. Hayden-Wing, J. Hodgson, J. W. Monarch, A. Smith, O. Thorne II, and J. Todd, eds. Proc. Symposium on issues and technology in the management of impacted wildlife. Thorne Ecological Institute. Boulder, Colorado.

Irwin, L.L., and C.M. Gillin. 1984. Response of elk to seismic exploration in the Bridger-Teton Forest, Wyoming. Progress Report. Bureau of Land Management, International Association of Geophysical Contractors, U.S. Forest Service and Wyoming Game and Fish Department. 38 pp.

Irwin, L.L., and J.M. Peek. 1979. Relationship between road closures and elk behavior in northern Idaho. Pages 199-204 in M.S. Boyce and L.D. Hayden-Wing, eds. North American elk: ecology, behavior and management. Univ. of Wyoming, Laramie. 294 pp.

- Johnson, B.K., and D. Lockman. 1979. Response of elk during calving to oil/gas drilling activity in Snider Basin, Wyoming. WGFD Rept. 14pp.
- Johnson, B.K., and D. Lockman. 1981. Response of elk during calving to oil/gas activity in Snider Basin, Wyoming. Wyoming Game and Fish Department, Cheyenne. 12 pp.
- Johnson, B., L.D. Hayden-Wing, and D. Lockman. 1990. Responses of elk to development of Exxon's Riley Ridge Gas Field in western Wyoming. WY Game and Fish Dept., Cheyenne. 25pp.
- Johnson, B. and L. Wolrab. 1987. Response of elk to development of a natural gas field in western Wyoming, 1979-1987. WGFD Rept. 28pp.
- Johnson, T.K. 1986. Impacts of surface coal mining on calving elk. Pages 255-269 in Issues and Technology in the Management of Impacted Western Wildlife. Proc. Symp., Glenwood Springs, CO. Thorne Ecol. Inst., Boulder, CO.
- Knight, J.E., Jr. 1980. Effects of hydrocarbon development on elk movements and distribution in northern Michigan. Ph.D. dissertation. The University of Michigan, Ann Arbor. Knight, J.E. 1981. Effect of oil and gas development on elk movements and distribution in northern Michigan. N. Am. Wildl. and Nat. Resour. Conf. 46:349-357.
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- Kuhn, J.A., and B. Martens. 1985. Coal mine development and elk biology: Environmental impact assessment in Alberta and British Columbia. Pages 273-282 in M.S. Boyce and D. Hayden-Wing eds. North American elk: ecology, behavior, and management. University of Wyoming, Laramie.
- Landon, D.M., P.R. Krausman, K.K.G. Koenen, and L.K. Harris. 2003. Pronghorn use of areas with varying sound pressure levels. Southwestern Naturalist 48:725-728.
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- Lees, A.T. 1989. The effect of recreational activity on elk use and distribution along a pipeline right-of-way. Pages 133-143 in Proceedings IV: Issues and Technology in the Management of Impacted Wildlife. Thorne Ecological Institute, Boulder, Co.
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- Morgantini, L.E. 1985. Ungulate encounters with construction materials (pipe, berms, etc.) during the building of an underground gas pipeline in Western Alberta, Canada. *Alces* 21:215-230.
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- Neil, P..H., R.W. Hoffman, and R.B. Gill. 1975. Effects of harassment on wildlife animals – an annotated bibliography of selected references. Special Rept. No. 37, CO Div. Wildl.
- Nelleman, C., and R.D. Cameron. 1998. Cumulative impacts of an evolving oil-field complex on the distribution of calving caribou. *Can. J. Zool.* 76:1425-1430.
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- Phillips, G.E., and A.W. Alldredge. 2000. Reproductive success of elk following disturbance by humans during calving season. *J. Wildl. Manage.* 64(2):521-530.
- Powell, J.H. 2003. Distribution, habitat use patterns and elk response to human disturbance in the Jack Morrow Hills. M.S Thesis., Univ. Wyoming, Laramie. 52 pp.
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- Reeve, A. F. 1996. Mule deer response to oil and gas well recompletions and winter habitat use on the Birch Creek Unit, Big Piney-LaBarge winter range complex, during winter 1990-1991. Unpublished report, USDI-Bureau of Land Management, Pinedale Resource Area, Pinedale Wyoming.
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- Sawyer, H., F. Lindzey, and D. McWhirter. 2005. Mule deer and pronghorn migration in western Wyoming. *Wildlife Society Bulletin* 33:1266-1273.
- Seegerstrom, T. 1982. Effects of an operational Coal mine on pronghorn Antelope. M.S. Thesis, Montana State University, Bozeman, Montana.
- Stephenson, T.R., M.R. Vaughan, and D.E. Anderson. 1996. Mule deer movements in response to military activity in southeast Colorado. *J. Wildl. Manage.* 60:777-787.
- Van Dyke, F., and W.C. Klein. 1996. Response of elk to installation of oil wells. *J. Mammalogy*. 77(4):1028-1041.

Ward, L.A. 1986. Displacement of elk related to seismograph activity in south-central Wyoming. Pages 246-254 in Proceedings II: Issues and Technology in the Management of Impacted Western Wildlife. Proc. Symp., Glenwood Springs, CO. Thorne Ecological Inst. Boulder, CO.

Wisdom, M.J., A.A. Ager, H.K. Preisler, N.J. Cimon, and B.K. Johnson. 2004. Effects of off-road recreation on mule deer and elk. Trans. N. Am. Wildl. Nat. Res. Conf. 69: in press.

Deliverable Date: On or before January 25th, 2008

Estimated Budget: \$12,500

Electronic bids will not be accepted.

Total Cost of Review and Deliverables: _____

NOTE TO VENDORS:

A) Failure to display Invitation For Bid FWP 080099 on your sealed bid envelope may result in bid disqualification.

HAVE YOU REMEMBERED TO:

- * Bid F.O.B. Destination (Ship To: Address) Freight Prepaid
- Mark envelope or box with bid number and opening date
- * Review "Standard Terms and Conditions"
- * Sign your bid on the cover sheet
- * Initial all bid/pricing changes you made
- * Review and complete all listed requirements to ensure compliance
- * Include literature (if requested)
- * Include Montana-Made preference affidavit, if applicable
- * Have current Montana resident preference affidavit in place, if applicable